



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

TRAVIS WILKERSON,

Plaintiff,

vs.

KEVIN ARMENTANO, and
GREGORY MINTER.

Defendants.

CASE NO. 12cv2994 WQH

VERDICT

We, the jury in the above-entitled action, unanimously find the following verdict on the questions submitted to us as to Plaintiff Travis Wilkerson:

Answer Question 1 and then follow the italicized instructions.

Unlawful Arrest- § 1983

Question 1: Did the Defendant Kevin Armentano arrest Plaintiff Travis Wilkerson without probable cause?

Answer

Yes ☒

No ☐

If your answer is Yes, proceed to Question 2.

If your answer is No, proceed to Question 3.

Question 2: Was the arrest a substantial factor in causing harm to Plaintiff Travis Wilkerson?

Answer

Yes ☒

No ☐

Answer Question 3.

Unreasonable Force- § 1983

Question 3: Did the Defendant named below use unreasonable force on Plaintiff Travis Wilkerson?

Answer yes or no as to each Defendant

Kevin Armentano Yes ☒ No ☐

Gregory Minter Yes ☐ No ☒

If your answer is Yes as to one or both of the Defendants, proceed to Question 4.

If your answer is No to both Defendants, proceed to Question 5.

Question 4: Was the unreasonable force a substantial factor in causing harm to Plaintiff Travis Wilkerson?

Answer yes or no as to each Defendant for whom your answer to Question 3 is Yes.

Kevin Armentano Yes ☒ No ☐

Gregory Minter Yes ☐ No ☐

Answer Question 5.

California Civil Code § 52.1

Question 5: Did the Defendant named below interfere or attempt to interfere by threats, intimidation or coercion with Plaintiff Travis Wilkerson's right to be free from unlawful arrest or unreasonable force protected by the Fourth Amendment to the U.S. Constitution?

Answer yes or no as to each Defendant

Kevin Armentano Yes ☒ No ☐

Gregory Minter Yes ☐ No ☒

If your answer is Yes as to one or both of the Defendants, proceed to Question 6.

If your answer is No to both Defendants, proceed to Question 7.

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1 **Question 6:** Was the conduct in Question 5 a substantial factor in causing harm to
2 Plaintiff Travis Wilkerson?

3 *Answer yes or no as to each Defendant for whom your answer to Question 5 is Yes.*

4 Kevin Armentano Yes ☒ No ☐

5 Gregory Minter Yes ☐ No ☐

6 *Proceed to Question 7.*

7

8 **Negligence**

9 **Question 7:** Was one or more San Diego police officer negligent in his actions
10 toward Plaintiff Travis Wilkerson?

11 Answer Yes ☒ No ☐

12 *If your answer is Yes, proceed to Question 8.*

13 *If your answer is No to Question 7, and your answer is Yes as to any Defendant in Question*
14 *2 or 4 or 6, proceed to Question 9.*

15 *If you have not answered Yes as to any Defendant in Question 2 or 4 or 6 or 7, please have*
16 *the presiding juror sign and date the verdict form.*

17

18 **Question 8:** Was this negligence a substantial factor in causing harm to Plaintiff
19 Travis Wilkerson?

20 Answer Yes ☒ No ☐

21 *If your answer is Yes as to any Defendant in Question 2 or 4 or 6 or 8, proceed to Question*
22 *9.*

23 *If you have not answered Yes as to any Defendant in Question 2 or 4 or 6 or 8, please have*
24 *the presiding juror sign and date the verdict form.*

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Question 9: What do you find to be the total amount of damages which will compensate Plaintiff Travis Wilkerson for the harm caused by the Defendant or Defendants?

\$ 45,000

If your answer is Yes to Question 8, proceed to Question 10.

If your answer is No to Question 7 or 8, and your answer as to Defendant Kevin Armentano in Question 2 or 4 is Yes, proceed to Question 12.

If your answer is No to Question 7 or 8, and you have not answered Yes as to Defendant Kevin Armentano in Question 2 or 4, please have the presiding juror sign and date the verdict form.

Question 10: Was Plaintiff Travis Wilkerson negligent in failing to use reasonable care to prevent harm to himself?

Answer Yes ☐ No ☒

If your answer is Yes to Question 10, proceed to Question 11.

If your answer is No to Question 10, and your answer is Yes as to Defendant Kevin Armentano in Question 2 or 4, proceed to Question 12.

If your answer is No to Question 10, and you have not answered Yes as to Defendant Kevin Armentano to Question 2 or 4, please have the presiding juror sign and date the verdict form.

Question 11: What percentage of the total amount of Plaintiff Travis Wilkerson's harm is due to the negligence of one or more San Diego police officer and what percentage of the total harm is due to the negligence of Plaintiff Travis Wilkerson?

Answer with percentages which must add up to 100%

Answer:	Defendant police officers	<u> </u> %
	Plaintiff Travis Wilkerson	<u> </u> %
	TOTAL	100%

If your answer is Yes as to Defendant Kevin Armentano in Question 2 or 4, proceed to Question 12.

1 If you have not answered Yes as to Defendant Kevin Armentano to Question 2 or 4, please
2 have the presiding juror sign and date the verdict form.

3
4 **Punitive Damages - Federal Law Claims § 1983**

5 **Question 12:** Do you find by a preponderance of the evidence that the Defendant
6 Kevin Armentano acted maliciously, oppressively, or with reckless disregard of Plaintiff's
7 Constitutional rights?

8 Answer yes or no only if your answer is Yes to Question 2 or Yes to Question 4 as to
9 Defendant Kevin Armentano.

10 Answer Yes ☒ No ☐

11 Please have the presiding juror sign and date the verdict form.

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13 Dated: 2/19/2015

Julie D. Taylo
Presiding Juror